

Magistrate Judge Monica J. Benton

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CLERK U.S. DISTRICT COURT
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELROY JOHN LAMONT,

Defendant.

MAGISTRATE'S DOCKET NO.
CASE NO. 04-294M

COMPLAINT for VIOLATION

United States Code Title 18,
Section 844(c)

BEFORE, Monica J. Benton, United States Magistrate Judge, at Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT ONE

(False Threat Using Explosive Materials via Interstate Commerce)

On or about May 16, 2004, at Darrington, Washington, within the Western District of Washington, ELROY JOHN LAMONT, by means and use of an instrument of interstate or foreign commerce, that is, the internet, willfully threatened, and maliciously conveyed false information knowing the same to be false, to wit: ELROY JOHN LAMONT conveyed by the internet a threat to kill, injure or intimidate individuals, and to unlawfully damage or destroy the Darrington Elementary School by means of fire and explosives.

All in violation of Title 18, United States Code, Section 844(e).

COUNT TWO

(False Threat Using Explosive Materials via Interstate Commerce)

On or about May 17, 2004, at Darrington, Washington, within the Western District of Washington, ELROY JOHN LAMONT, by means and use of an instrument of interstate or foreign commerce, that is, the internet, willfully threatened, and maliciously conveyed false information knowing the same to be false, to wit: ELROY JOHN LAMONT conveyed by the internet a threat to kill, injure or intimidate individuals, and to unlawfully damage or destroy unidentified buildings belonging to the Darrington School District, by means of fire and explosives.

All in violation of Title 18, United States Code, Section 844(e).

COUNT THREE

(False Threat Using Explosive Materials via Interstate Commerce)

On or about May 16, 2004, within the Western District of Washington, ELROY JOHN LAMONT, by means and use of an instrument of interstate or foreign commerce, that is, the internet, willfully threatened, and maliciously conveyed false information knowing the same to be false, to wit: ELROY JOHN LAMONT conveyed by the internet a threat to kill, injure or intimidate individuals, and to unlawfully damage or destroy unidentified buildings belonging to the Arlington School District, by means of fire and explosives.

All in violation of Title 18, United States Code, Section 844(e).

And the Complainant further states as follows:

1. I, Reid Nakamura, am a Special Agent of the Federal Bureau of Investigation (FBI), assigned to the Everett Resident Agency of the Seattle Division. Prior to becoming an FBI Agent, I was employed as a police officer and worked for the Maui Police Department, Maui, Hawaii, for 6 years. I have been employed as a Special Agent for the FBI for 1 year and 10 months. In that capacity, I have been responsible for investigating violations of federal criminal laws.

2. The information set forth in this affidavit is the result of an investigation that I have conducted, together with Special Agent David Farquhar of the FBI Seattle

1 Division's Northwest Cyber Crimes Task Force, Sergeant Rick Hawkins of the
2 Snohomish County Sheriff's Office and other law enforcement officers as attributed.

3 **A. May 17, 2004 - (Count 1)**

4 3. On May 17, 2004, at approximately 7:30 a.m., Randall W. Swenson, the
5 Superintendent of School for the Darrington School District became aware of an emailed
6 bomb threat directed at the Darrington Elementary School. This threatening email was
7 sent to 25 staff and faculty members of the Darrington School District.

8 4. I interviewed Superintendent Swenson and other faculty members and
9 obtained copies of this email and learned the following: the email was allegedly from an
10 email address of "picard@voila.fr" and was sent on May 16, 2004, at 5:40 p.m. The
11 emailed threat had the subject header, "Bomb threat to darrington elementary." The
12 following is the body of that email:

13 *Hello, i have observed information that there is a highly sophisticated bomb*
14 *hidden in the darrington elementry grade school, the bomb is set to detonate on monday*
15 *1:30 pm, it is a highly powerful bomb consisting of ammonia nitrate, and high octane*
16 *racing fuel, it has a digital timer attached to it that will set it off at the designated time*
17 *with a electrical charge, i suggest you shut down the school on Monday and have firemen*
18 *and police teams search the buildings, this is a real serious issue and this bomb could*
19 *injure or kill hundreds.*

20 [All spelling as in original message].

21 5. On May, 17, 2004, based on the information in the email, Superintendent
22 Swenson closed the Darrington Elementary School. The Washington State Patrol Bomb
23 Squad and Snohomish County Sheriff's Office responded to the Darrington Elementary
24 School and searched the entire campus, but found no explosives.

25 **B. May 17, 2004 - (Count 2)**

26 6. On May 17, 2004, in the late afternoon, District Superintendent Randall W.
27 Swenson received another threatening email. This new email was sent to 5 members of
28 the Darrington Schools administrative staff.

7. I interviewed Superintendent Randall W. Swenson and other faculty members and obtained copies of this second email and learned the following. This second email was allegedly received from an email address of "stephane@cyberjoueurs.com" and was sent on May 17, 2004 at 8:40 a.m. The subject line of this email stated "I have bomb, i will kill you all!" The following is the body of the second emailed threat:

Hello, i am Stephane Portha from PARIS FRANCE, i have come to america to kill stupid american boys, i have found you school and have put bomb in it and have found i can shoot kids with my rifle very easily from the neighborhood and tree covers as they try to runs mushs haha! yous wills try to hide and run but i wills gets you alls! forgive me bad english i came from france to kill american boys and girls!

[All spelling as in original message].

8. Darrington School District Superintendent Randall W. Swenson, decided to close all Darrington Schools based on the information and threats contained in the email.

C. May 18, 2004 - (Count 3)

9. On May 18, 2004, Arlington Schools District Superintendent, Linda Byrnes, received a bomb threat through her email account with the Arlington Schools. I have interviewed Linda Byrnes and obtained a copy of the email and learned the following.

10. The email was sent from an email address of jessicapeterson@wanadoo.nl and was sent on May 18, 2004, at about 10:27 a.m. The subject line of the email stated "There is a bomb in your school." The email was sent to twelve staff and faculty members of the Arlington School District. The body of the email is as follows:

Hello i am Jessica Peterson of Earth Liberation Front i want to inform you that there is a bomb planted somewhere in your school that is an ammonia nitrate bomb with high octane fuel that could injure or kill dozens or hundreds of innocent peoples if ignited, it has a digital timer on it that will detonate at a designated time of 7:39am useing electrical charge supplied by a 9.v battery, it is very powerful and could have been hidden in a backpack or suitcase. A E.L.F associate is planning this attack for reasons i

1 *do not know, i suggest you evacuate and close down this school and try to disarm the*
2 *device if it has been planted and activated. P.S the bomber will return within 48 hours to*
3 *try and plant another bomb and or snipe innocent people.*

4 [All spelling from original message].

5 **D. The Investigation.**

6 11. On May 18, 2004, I interviewed Dayn Brunner, Darrington School District
7 Network Administrator. Dayn Brunner told me that he has been working with Special
8 Agent David Farquhar of the FBI Seattle Division, Northwest Cyber Crimes Task Force
9 to identify the source of the threatening emails. Brunner related that everyone who
10 received the threatening emails had their email addresses posted on the Darrington
11 Schools website.

12 12. Special Agent Farquhar undertook to trace the source of the threatening
13 emails. Special Agent Farquhar first performed an online search using some key words
14 contained in the threatening emails. Among other key words, Special Agent Farquhar
15 searched under the keyword "Stephane Portha" which was the name of the person who
16 claimed to be the author of the second threatening email.

17 13. Special Agent Farquhar discovered numerous hits on the name "Stephane
18 Portha" on an online gaming website for the online game called "Graal." "Graal" is an
19 online game where different people from all over the globe can interact with each other in
20 a virtual world. Special Agent Farquhar told me that he found several postings on
21 "Graal" websites where "Stephane Portha" was having online feuds and arguments with
22 other players of the game. Special Agent Farquhar theorized that a student at the
23 Darrington schools had played this game "Graal" online and had angered this "Stephane
24 Portha" person. He further theorized that as a result, "Stephane Portha" sent the
25 threatening emails in retaliation. All indications showed "Stephane Portha" was a real
26 person in France who frequented "Graal" websites and played "Graal."

27 14. Special Agent Farquhar asked Dayn Brunner, the Schools Network
28 Administrator, to check all of his computer logs for any students playing the "Graal"

1 game online or anyone visiting a "Graal" website. Special Agent Farquhar also asked
2 Dayne Brunner to try to find any link between the name of "Stephane Portha" and the
3 Darrington School District.

4 15. Dayn Brunner discovered a website called "The Graal Independent
5 Freedom Council" which he found on the Internet and not on the school's networks. On
6 this website, there were numerous postings from a person called "Viper" referencing the
7 name "Stephane Portha". The postings from "Viper" seem to attack "Stephane Portha"
8 and "Jessica Peterson" calling them Nazi fascist, terrorists, and thugs. The postings list a
9 reply address of "elroylamont@glacierview.net".

10 16. Dayn Brunner explained that "glacierview.net" is the one and only Internet
11 Service Provider located in Darrington, Washington. Mr. Brunner surmised that
12 elroylamont@glacierview.net was possibly a student at Darrington High School because
13 glacierview.net only operates in and around the Darrington, Washington, area. Mr.
14 Brunner was also able to determine that the email address "elroylamont@glacierview.net"
15 belonged to a Nancy Cope of 34806 SR 530, Arlington, Washington, 98223.

16 17. On May 18, 2004, Sergeant Rick Hawkins and Deputy Steven Haley of the
17 Snohomish County Sheriff's Office, and Special Agent David Farquhar and I responded
18 to the address of 34806 SR 530, Arlington, Washington, 98223.

19 18. Nancy Cope answered the door and related she had an 18 year-old son
20 named ELROY LAMONT who lived with her. Nancy Cope agreed to allow us to speak
21 with her son and LAMONT agreed to talk with us.

22 19. During that interview, LAMONT admitted to sending the threatening
23 emails to the Darrington School District. LAMONT said he was bored and wanted to see
24 what would happen if he sent a bomb threat to the Darrington Schools. He obtained the
25 email addresses of the Darrington Schools' faculty and staff from the Darrington Schools
26 website.

27 20. LAMONT admitted that he used programs called "Phasma5" and
28 "Sockscap" to forge the email addresses contained in the threatening messages and to

1 route the emails through numerous servers to confuse investigators. Specifically,
2 LAMONT forged the email address of picard@voila.fr. He said there was no such person
3 but thought "picard" sounded like a French name.


4 21. LAMONT stated that he picked the email address of
5 stephane@cyberjoueurs.com because "Stephane Portha" was a real person and he was
6 trying to throw suspicion onto that individual. LAMONT said he met "Stephane Portha"
7 online and did not like him.

8 22. After sending the first threatening email to Darrington Schools, LAMONT
9 watched the news and did not see anything about it so he sent the second, more
10 threatening, email.

11 23. LAMONT related that he had also emailed a bomb threat to Arlington
12 Schools and three other Schools in New Jersey. LAMONT said he also forged the email
13 address of jessicapeterson@wanadoo.nl for the email he sent to Arlington Schools.

14 24. LAMONT said that he would frequently use the online alias name of
15 "Viper" when posting messages online. LAMONT told me he got the idea of threatening
16 to use an ammonia nitrate bomb referenced in the emails from reading the story of
17 Timothy McVeigh and the Oklahoma City Bombings.

18 25. Based on the above facts, I believe that there is probable cause for the arrest
19 of ELROY JOHN LAMONT, charging him with three counts of violating Title 18, United
20 States Code, Section 844(e).

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22 
23 REID NAKAMURA, Complainant
Special Agent, Federal Bureau of Investigation

24 Complaint and affidavit sworn to before me and subscribed in my
25 presence, May 21, 2004.

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28 MONICA J. BENTON
United States Magistrate Judge

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